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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re Application of: Steven J. Moore et al.  
Serial No.: 09/363,001  
Filed: July 28, 1999  
Group No.: 2153  
Examiner: Moustafa M. Meky  
For: NETWORK PERFORMANCE MONITORING

Honorable Commissioner  
for Patents  
Washington, D.C. 20231

Dear Sir:

**RESPONSE TO OFFICE ACTION**

In response to the Office Action mailed July 24, 2002, Applicants respectfully request withdrawal of the request for interference. Applicants respectfully note that the Examiner may invoke an interference pursuant to MPEP § 2306.

If the Examiner feels that a telephone conference or an interview would advance prosecution of this Application in any manner, the undersigned attorney for Applicants stands ready to conduct such a conference at the convenience of the Examiner.

The Commissioner is hereby authorized to charge any fees due or credit any overpayments to Deposit Account No. 02-0384 of Baker Botts L.L.P.



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Respectfully submitted, "

BAKER BOTTS L.L.P.  
Attorneys for Applicants

A handwritten signature in black ink, appearing to read "David M. Doyle".

David M. Doyle  
Reg. No. 43,596

Date: 10/14/02

Correspondence Address:

X Customer Number or Bar Code Label

